

AO 91 (Rev. 11/11) Criminal Complaint  
~~United States District Court~~  
Southern District of Texas  
FILED

JAN 24 2020

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

David J. Bradley, Clerk

United States of America

v.

WILMAR CHUM

YOB: 1991

CITIZENSHIP: UNITED STATES

Case No. M-20-211-M

Defendant(s)

**SEALED**

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 24, 2019 - August 6, 2019 in the county of Hidalgo and Harris in the  
Southern District of Texas, the defendant(s) violated:

*Code Section*

*Offense Description*

Title 21, U.S.C. §§ 846, 841(a)(1)

Conspiracy to Possess with Intent to Distribute a Controlled Substance.

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.

Approved:

Robert Willis AUSA  
1/23/2020

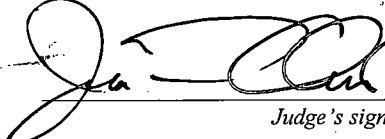
  
Complainant's signature

Jacob W. Frey, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 1/24/20 - 4:25 P.M.

  
Judge's signature

City and state: McAllen, Texas

Juan F. Alanis, United States Magistrate Judge

Printed name and title

ATTACHMENT A

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

1. Special Agents and Task Force Officers (hereinafter “agents”) with the FBI are currently investigating the international drug trafficking activities of the Rolando PALOMO drug trafficking organization (hereinafter “PALOMO DTO”), in connection with possible violations of law involving violations of Title 21 U.S.C. §§ 846, 841(a)(1) (Conspiracy to Possess with Intent to Distribute a Controlled Substance).

2. Since on or about July 24, 2019, FBI agents have been investigating the PALOMO DTO. This drug trafficking organization operates out of Tamaulipas, Mexico, and in the Rio Grande Valley (RGV) of Texas. The PALOMO DTO and is responsible for the importation of large quantities of illegal drugs into the United States. The investigation has shown that some of the PALOMO DTO drugs are being smuggled into the United States from Reynosa, Tamaulipas, Mexico, and are being forwarded to locations in the interior of the country for further distribution.

6. On August 1, 2019, PALOMO arranged to meet a cooperating defendant (CD) at PALOMO’s house located at 6402 Venus Lane in Pharr, Texas. Agents observed the CD meet PALOMO at PALOMO’s house where PALOMO gave the CD two kilograms of fentanyl. Later that day PALOMO called the CD and told him the fentanyl was to be delivered to Houston. The substance was field tested by agents and tested positive for the characteristics of fentanyl.

7. On August 5, 2019, PALOMO sent the CD the following text:

PALOMO: 207 2390804 Tell him that you are calling on behalf of the friend

8. The CD then called the number and spoke with a subject who arranged to meet the CD in Houston Texas. On August 5, 2019, the CD again called the number and arranged to give them the fentanyl at the Palace Inn Motel located at 1344 Katy Fort Bend Road in Katy, Texas.

9. At approximately 1:50pm on August 5, 2019, a dark SUV bearing Texas license plate KDK5625 entered the Palace Inn Motel parking lot and parked next to the CD. The SUV was registered to Tina Bach PHAN of 6011 Coventry Falls, Houston, Texas. The driver, later identified as Andy PHAN, and a passenger, later identified as Londy NEANG, exited the vehicle. The CD asked PHAN, "Do you got something to put it in?" and PHAN responded, "Yeah." NEANG got in the front seat of CD's vehicle and gave the CD \$3000. The CD gave NEANG two kilograms of fake fentanyl and told NEANG, "Just be careful because this shit ain't no coke, huh. This is fucking fentanyl or something." NEANG responded, "Yeah" while PHAN stood outside the CD's open driver's side door. NEANG put the two kilograms of fake fentanyl in a bag he was carrying. NEANG and PHAN then got back into PHAN's SUV and left.

10. PHAN's vehicle was later stopped by Harris County Constables. The constables identified PHAN, NEANG, and a third passenger Wilmar CHUM. The constables seized the fake fentanyl but told the vehicle occupants they would not be arrested at that time as they could not identify the substance. NEANG spontaneously told Constables that the

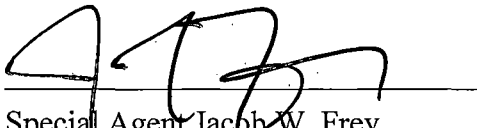
substance was fentanyl. During the stop NEANG indicated his phone number was 207-239-0804.

11. During the traffic stop Phan and CHUM were placed in the rear seat of a Harris County Constable vehicle which had video and audio recording capabilities. Agents later obtained and reviewed the recordings. After PHAN and CHUM were placed in the back seat and out of earshot of the constables, CHUM said to PHAN, "Fuck. We're fucked!" When the constables can be seen in the dash camera handling NEANG's bag which contained the fentanyl, CHUM said "Fuck. They found that shit." The two further discussed ways in which PHAN should have operated the vehicle to avoid being pulled over. While still in the back of the constable's vehicle CHUM remarked, "Man, I'm going to jail for a while. Fuck. We should have never passed the cops. We should have stayed behind them. Take a right."

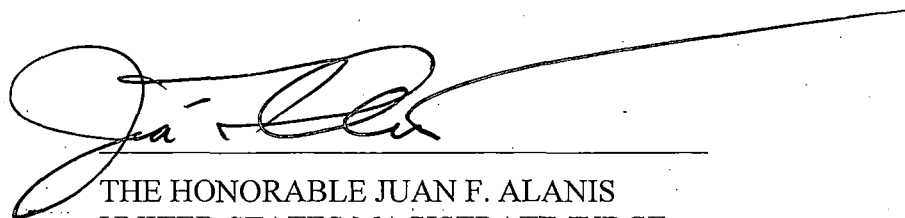
11. In September of 2019 PALOMO, NEANG, and PHAN were arrested based on criminal complaints signed by US Magistrate Judge Juan F. Alanis on August 27, 2019.

12. On January 22, 2020, Phan was debriefed in McAllen, Texas. PHAN told agents that prior to the date of the traffic stop, NEANG and CHUM told him they were coming to visit him in Houston from their home state of Massachusetts. Once they arrived in Houston they told PHAN that they were there to pick up drugs. NEANG and CHUM told PHAN they planned rent a car and to drive the drugs back to Massachusetts together. NEANG was being paid \$20,000 to transport the drugs and offered to pay PHAN for his role of transporting them around Houston. After the traffic stop NEANG and CHUM were

depressed and flew back to Massachusetts that same night..



Special Agent Jacob W. Frey  
Federal Bureau of Investigation



THE HONORABLE JUAN F. ALANIS  
UNITED STATES MAGISTRATE JUDGE